

SUMMARY OF CITY CHARTER PROVISIONS CONCERNING REFERENDUMS, RECALLS, AND INITIATIVES

CITY	REFERENDUM	RECALL	INITIATIVE
Charlottesville	Yes--council may ask for advisory; voters may petition for referendum on charter amendment.	No	No
Chesapeake	Yes	No	No
Falls Church	Yes--council may ask for advisory; voters may petition for referendum on charter amendment.	No	No
Hampton	Yes	Yes	Yes
Lynchburg	Yes	Yes	Yes
Newport News	Yes--council may ask for advisory.	No	No
Norfolk	Yes	Yes	Yes
Portsmouth	Yes	Yes	Yes
Richmond	Yes--council may ask for advisory; voters may petition for referendum on charter amendment and for binding referendum on bond issues; sale or lease of utilities must be approved in referendum.	No	No
Virginia Beach	Voters may petition for advisory referendum.	No	No

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- Charlottesville **Advisory Referendum**--Council may submit any ordinance or charter amendment to the voters for an advisory referendum. Further, 10% of the largest number of voters voting in any general or primary election held within the past five years can petition for a charter amendment to be placed on the ballot. If approved, the charter amendment is communicated to the City's General Assembly delegation as if passed by council. A binding referendum is required on the question of the fluoridation of water. Such a referendum may be requested by City Council or by petition signed by a number equal to 10% of the largest number of voters voting in any general or primary election held within the past five years.
- Chesapeake **Referendum**--Within 30 days following the of adoption of an ordinance, a petition filed by 15% of voters voting in last presidential election may be presented to council requesting the repeal or amendment of the ordinance in question. If council does not act according to the petition within 30 days, a referendum on the ordinance is held. Emergency measures providing for work to protect public property or health from imminent danger or imminent loss or liability not subject to referendum. Other emergency measures are subject to a referendum as other ordinances, but no appropriations ordinance shall be subject to a referendum.
- Falls Church **Advisory Referendum**--Council may submit any ordinance or charter amendment to the voters for an advisory referendum. Further, 10% of the largest number of voters voting in any general or primary election held within the past five years can petition for a charter amendment to be placed on the ballot. If approved, the charter amendment is communicated to the City's General Assembly delegation as if passed by council.
- Hampton **Referendum**--Within 30 days following the adoption of an ordinance, a petition filed by 25% of the voters voting in the last regular councilmanic election, but not less than 4,000 voters, may be presented to council requesting the repeal or amendment of the ordinance in question. If the council does not act according to the petition within 60 days, a referendum on the ordinance is held. Not subject to referendum are ordinances authorizing revenue levies or to protect public safety, public property, health, or morals from imminent danger or to protect the City from imminent loss or liability.
- Recall**--10% of the voters in last councilmanic election may petition for the recall of any council member. The petition must include statement of the grounds for the recall. The council member who is the subject of the petition may file statement of defense. The recall petition and statement of defense is then made available for 30 days in a public place for signatures by additional voters. If 25% of the voters voting in the last councilmanic election sign the petition, the petition is communicated to the affected council member. If the affected council member does not resign within five days, a recall election is held.
- Initiative**--Any proposed ordinance, including one for the repeal or amendment of an existing ordinance, may be submitted to council by petition of 10% of the voters voting in the last regular councilmanic election. If not adopted by council within 60 days, the ordinance shall be submitted to the voters for approval upon petition of 25% of the voters voting in the last regular councilmanic election, but not less than 4,000 voters. If approved in an election, the ordinance cannot be repealed or amended except by the voters in a referendum.

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Lynchburg

Referendum--Within 30 days of the adoption of any ordinance, a petition filed by 15% of the registered voters may be presented to City Council requesting the repeal or amendment of the ordinance in question. If the council does not act according to the petition within 60 days, a referendum on the ordinance is held. Ordinances concerning revenue levies, expenditures, zoning, or any administrative act are not subject to referendum. Further, ordinances necessary to protect public safety, property, health, or morals from imminent danger or to protect City from imminent loss or liability are also not subject to referendum.

Recall--10% of the registered voters may petition for the recall of any council member. The petition must include statement of the grounds for the recall. The council member who is the subject of the petition may file statement of defense. The recall petition and statement of defense is then made available for 30 days in a public place for signatures by additional voters. If 15% of the registered voters sign the petition, the petition is communicated to the affected council member. If the affected council member does not resign within five days, a recall election is held.

Initiative--Any proposed ordinance, including one for the repeal or amendment of an existing ordinance, may be submitted to council by petition of 10% of the registered voters. If not adopted by council within 60 days, the ordinance shall be submitted to the voters for approval upon petition of 15% of the registered voters may petition for a referendum on the proposed ordinance. If approved in an election, the ordinance cannot be repealed or amended except by the voters. Ordinances concerning revenue levies, expenditures, zoning, or any administrative act are not subject to initiative. Further, ordinances necessary to protect public safety, property, health, or morals from imminent danger or to protect City from imminent loss or liability are also not subject to initiative.

Newport News

Advisory Referendum--Council may request an advisory referendum on any proposed ordinance.

Norfolk

Referendum--Within 30 days following the adoption of an ordinance, a petition filed by 25% of the voters in the last councilmanic election, but not less than 4,000 voters, may be presented to council requesting the repeal or amendment of the ordinance in question. If the council does not act according to the petition within 30 days, a referendum on the ordinance is held. Not subject to referendum are ordinances necessary to protect public property or health from imminent danger or to protect the City from imminent loss or liability.

Recall--A recall election for a council member can be requested upon petition of 300 voters of the council member's ward. The petition must include a statement of the grounds for the recall. The council member who is the subject of the petition may file a statement of defense. The recall petition and statement of defense is then made available for 30 days in a public place within the council member's ward for signatures by additional voters. If 15% of the voters in said ward who voted in the last preceding regular municipal election in which the council member was elected sign the petition, the petition is communicated to the affected council member. If the affected council member does not resign within five days, a recall election is held.

Initiative--Any proposed ordinance, including one for the repeal or amendment of an existing ordinance, may be submitted to City Council by petition of 10% of the voters voting in the last regular councilmanic election. If not adopted by council within 60 days, the ordinance shall be submitted to the voters for approval upon petition of 25% of the voters voting in the last regular councilmanic election, but not less than 4,000 voters. If approved in an election, the ordinance cannot be repealed or amended except by the voters in a referendum.

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Portsmouth	<p>Referendum--Within 30 days of the adoption of any ordinance, except an emergency ordinance, a petition filed by 30% of the voters voting in the last gubernatorial election may be presented to City Council requesting the repeal of the ordinance in question. If the council does not act according to the petition within 60 days, a referendum on the ordinance is held. If approved by the voters, the ordinance cannot be repealed or amended for two years, except in another referendum.</p> <p>Recall--A recall election for any elected municipal official can be requested one year from the beginning of his or her term of office upon petition of 30% of the voters voting in the last gubernatorial election. The petition must include a statement of the grounds for the recall. If the affected official does not resign within five days, a recall election is held.</p> <p>Initiative--Any proposed ordinance, including one for the repeal or amendment of an existing ordinance, may be submitted to City Council by petition signed by at least 30% of the voters voting in the last gubernatorial election. If not adopted by the council within 60 days, the ordinance shall be submitted to the voters at the next general election.</p>
Richmond	<p>Referendum--Council may submit any ordinance to the voters for an advisory referendum. In addition, 10% of the largest number of voters voting in any general or primary election held within the past five years can petition for a charter amendment to be placed on the ballot. If approved, the charter amendment is communicated to the City's General Assembly delegation as if passed by council. Further, 10% of the largest number of voters cast in any general or primary election held in the last five years may petition for a binding referendum on the issuance of bonds. Moreover, the sale or lease of any City utilities must be approved by referendum.</p>
Virginia Beach	<p>Advisory Referendum--25% of the voters voting in the last general election may petition for an advisory referendum.</p>

NOTE: The above table contains an abbreviated summary of the various city charter provisions concerning referendum, recall and initiative. Almost all of those charter provisions contain many additional steps, time limits, petition review provisions, etc. that could not be easily summarized in this table. Therefore, this table should not be substituted for a careful and thorough reading of those charters.

Source: Adapted from a chart prepared by the Virginia Municipal League and updated from the charter files posted on the Virginia General Assembly's web site on August 11, 2003.